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FACSIMILE COVER LETTER

To: David T. Fox
Group Art Unit: 1638

Firm: United States Patent and Trademark Office

Facsimile: (703) 872-9306

From: Marilyn Matthes Brogan

Date: February 4, 2004

Re: Application Serial No. 09/155,921
Inventor: Donn et al.
Our Docket No.: 514413-3669

Number of Pages: 6
(including cover page)

cc:

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As you requested.

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Document#

319413-3669
PTO/SB/29 (10/00)

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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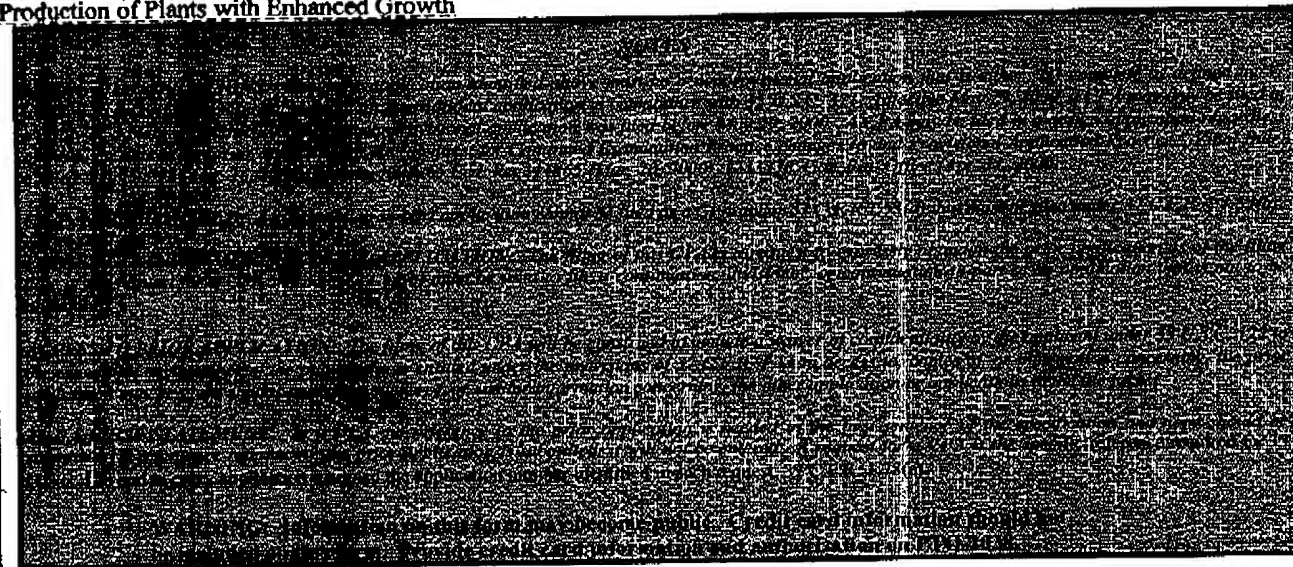
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Address to:

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Attorney Docket No. of Prior Application	514413-3669
First Named Inventor	Donn et al.
Examiner Name	David T. Fox
Group/Art Unit	1638
Express Mail Label No.	EV345017525US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/155,921, filed on 5/13/99, entitled Process for the
Production of Plants with Enhanced Growth



1. ☒ Enter the unentered amendment previously filed on March 20, 2003 under 37 C.F.R. 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53(d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

[Page 1 of 2]

00124559

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314413-3009

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(e) or (f))		9 - 20* =	0	x \$ 18 =	\$ 0.00
INDEPENDENT CLAIMS (37 CFR 1.16(e) or (f))		2 - 3** =	0	x \$ 84 =	0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 280 =	280.00
				BASIC FEE (37 C.F.R. § 1.16)	750.00
Total of above Calculations =					\$ 1030.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Release claims in excess of 20 and over original patent.					
** Release independent claims over original patent					
TOTAL =					\$ 1030.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27)
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-0320
- a. ☐ Fees required under 37 C.F.R. 1.16.
- b. ☒ Fees required under 37 C.F.R. 1.17.
- c. ☐ Fees required under 37 C.F.R. 1.18.
8. ☒ A check in the amount of \$1030.00 is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired _____
 [Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503).
13. ☐ Other:

14. NEW CORRESPONDENCE ADDRESS

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or ☐ New correspondence address below

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Serial No. 09/155,921 File No. 514413-3669 By mmelfe

Title In the Matter of the Application of Don et al. in the U.S. Patent Office, was received in the Patent Office

The following due 1/25/03

☐ Affidavit ☐ Declaration

☐ Amendment

☐ Preliminary Amendment

☐ Amendment After Final Rejection

☐ Request for Extension of Time

☐ Provisional Patent Application

☐ Application for Patent, including

☐ — Pages Specification — Claims

☐ Declaration ☐ Oath ☐ Power

☐ Request for Filing Continuation or Divisional

☐ Application — sheets, in duplicate

☐ File Wrapper Continuation Patent Application

☐ — sheets, in duplicate

☐ PCT Request — sheets, including

☐ Transmittal Letter to the US/RO

☐ Assignment ☐ Recordation Cover Sheet

☐ Express Mail Mailing Certificate

☐ (separate sheet)

☒ Check No. 26145 for \$ 1030.00

☐ Deposit Account Order Form

☐ Drawing — Sheet(s)

☐ Information Disclosure Statement

☐ PTO Form 1449

☐ Issue Fee Transmittal

☐ Brief ☐ Letter

☐ Application for TM Registration

☐ Including — Specimens

☐ Status Request ☐ Notice of Appeal

☐ Petition ☐ Response

☐ Priority Document

☒ Small Entity Declaration

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